



KATHY HOCHUL
Governor

VINCENT G. BRADLEY
Chairman

LILY M. FAN
Commissioner

APPROVAL OF 2023 WHOLESALER SUMMER SHUTDOWN FOR EMPIRE MERCHANTS

NOTE: This will be the final Summer Shutdown approved by the Authority and is permitted pursuant to a prior written exception for 2023 previously obtained from Counsel to the SLA. Please be guided accordingly.

June 1, 2023

Pursuant to Alcoholic Beverage Control Law ("ABCL") Sections 101-aa and 101-aaa, manufacturers and wholesalers of liquor, wine, beer, wine products, cider and mead that sell their products to licensed retailers are required to report as delinquent via the Authority's Online Delinquent Management System ("Delinquent List") any retailer that fails to tender payment for a delivery of any such alcoholic beverages within statutorily required payment periods. Empire Merchants previously requested and was granted relief from this requirement in connection with a 2023 Summer Shutdown period by written notice of exemption from former Counsel to the Authority.

On June 26, 2019, the Members of the Authority at a Full Board meeting delegated to Counsel to the Authority the power to change the date on which any act or function required under ABCL Sections 101-aa or 101-aaa is to be performed by any licensee or the Authority. Pursuant to that Delegation of Power, and in an effort to alleviate confusion among industry members, Counsel to the Authority hereby announces the previously approved 2023 Summer Shutdown period for Empire Merchants:

- July 17 - July 28, 2023 (July 10 – July 14, 2023 delivery dates).

The purpose of this Advisory is to advise the industry of the approved 2023 Summer Shutdown period for Empire Merchants and corresponding billing adjustments for same. The following modification to the 2023 liquor/wine credit calendar is thus approved:

- For Empire Merchants orders shipped from Monday July 10, 2023 – Friday July 14, 2023 will be deemed delivered on Sunday July 16, 2023 which shall be considered the date of delivery for same. The final payment date for all such deliveries shall be Tuesday August 15, 2023.

Empire Merchants' customer service telephone number which will remain in effect for retailers' delinquent list and other concerns during the shutdown period is **1-800-441-5614**.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shannon Kearney Sarfoh". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Shannon Kearney Sarfoh

General Counsel

Cc: To be posted on SLA Website